

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

SYLVESTER NICHOLS §
VS. § CIVIL ACTION NO. 1:13cv306
DIRECTOR, TDCJ-CID §

MEMORANDUM OPINION REGARDING VENUE

Petitioner Sylvester Nichols, an inmate confined in the Stiles Unit of the Texas Department of Criminal Justice, Institutional Division, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Discussion

In 2011, petitioner was convicted of a criminal offense in the 217th District Court of Angelina County, Texas. He was sentenced to 50 years imprisonment.

Petitioner filed this petition for writ of habeas corpus in the district in which he was convicted. Pursuant to 28 U.S.C. § 2241(d), a petitioner may bring his petition for writ of habeas corpus in the district in which he was convicted or the district in which he is incarcerated. Accordingly, this court has jurisdiction over the petition.

However, while Angelina County is located within the Eastern District of Texas, it is in the Lufkin Division, rather than the Beaumont Division. As a result, this case should be transferred to

the Lufkin Division of this court. A Transfer Order shall be entered in accordance with this Memorandum Opinion.

SIGNED this 21 day of May, 2013.

Keith F. Giblin
KEITH F. GIBLIN
UNITED STATES MAGISTRATE JUDGE